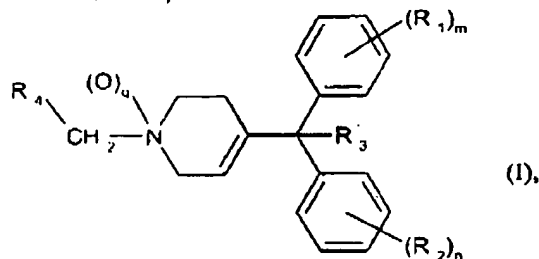


## AMENDMENTS TO THE CLAIMS

Claim 1. (Currently Amended) Compound of formula



wherein

$R_1$  and  $R_2$ , independently of one another, are halogen,  $C_1$ - $C_6$ -alkyl,  $C_3$ - $C_6$ -cycloalkyl, halogen- $C_1$ - $C_6$ -alkyl, halogen- $C_3$ - $C_6$ -cycloalkyl,  $C_2$ - $C_4$ -alkenyl,  $C_2$ - $C_4$ -alkinyl, halogen- $C_2$ - $C_4$ -alkenyl, halogen- $C_2$ - $C_4$ -alkinyl,  $C_1$ - $C_6$ -alkoxy, halogen- $C_1$ - $C_6$ -alkoxy,  $C_2$ - $C_6$ -alkenyloxy,  $C_2$ - $C_6$ -alkinyloxy, halogen- $C_2$ - $C_6$ -alkenyloxy, halogen- $C_2$ - $C_6$ -alkinyloxy,  $-SF_3$ ,  $-C(=O)N(R_3)_2$ ,  $-O-C(=O)N(R_3)_2$ ,  $-CN$ ,  $-NO_2$ ,  $-S(O)_2N(R_3)_2$ ,  $-S(=O)_p-C_1-C_6$ -alkyl,  $-S(=O)_p$ -halogen- $C_1-C_6$ -alkyl,  $-O-S(=O)_p-C_1-C_6$ -alkyl,  $-O-S(=O)_p$ -halogen- $C_1-C_6$ -alkyl, phenyl, benzyl, phenoxy or benzyloxy, wherein each of the phenyl, benzyl, phenoxy or benzyloxy radicals is either unsubstituted or mono- to penta-substituted in the aromatic ring, independently of each other, by substituents selected from the group consisting of halogen, cyano,  $NO_2$ ,  $C_1$ - $C_6$ -alkyl, halogen- $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy and halogen- $C_1$ - $C_6$ -alkoxy;

$R_3$  is hydrogen, OH, halogen,  $C_1$ - $C_6$ -alkoxy, or  $-O-C(=O)-C_1-C_6$ -alkyl;

$R_4$  is phenyl, which is mono-substituted by substituents selected from the group consisting of phenyl, benzyl, phenoxy, benzyloxy, heterocyclyl and heterocyclyloxy, wherein, depending on the substitution possibility on the ring, the heterocyclyl and heterocyclyloxy radicals are tetrazole optionally mono- to trisubstituted by substituents selected from the group consisting of halogen,  $C_1$ - $C_6$ -alkyl, halogen- $C_1$ - $C_6$ -alkyl,  $C_1$ - $C_6$ -alkoxy, halogen- $C_1$ - $C_6$ -alkoxy,  $C_3$ - $C_6$ -cycloalkyl- $C_1$ - $C_6$ -alkyl, cyano- $C_1$ - $C_6$ -alkyl,  $C_3$ - $C_6$ -alkenyl,  $C_3$ - $C_6$ -alkinyl, phenyl or benzyl;

~~the two~~  $R_5$  is independently of one another, are hydrogen or  $C_1$ - $C_6$ -alkyl;

$m$  is 0, 1, 2, 3, 4 or 5;

$n$  is 0, 1, 2, 3, 4 or 5;

$p$  is 0, 1 or 2;

$q$  is 0 or 1

and, the *E/Z* isomers, *E/Z* isomeric mixtures and/or tautomers thereof, each in free form or in

salt form.

Claim 2. (Original) A compound of formula (I) according to claim 1, in free form.

Claim 3. (Previously Presented) A compound of formula (I) according to claim 1, wherein  $R_1$  and  $R_2$ , independently of each other, are halogen,  $C_1$ - $C_2$ -alkyl,  $C_3$ - $C_6$ -cycloalkyl, halogen- $C_1$ - $C_2$ -alkyl,  $C_1$ - $C_2$ -alkoxy, halogen- $C_1$ - $C_2$ -alkoxy,  $-C(=O)N(CH_3)_2$ ,  $-CN$  or  $-NO_2$ .

Claim 4. (Previously Presented) A compound of formula (I) according to claim 1, in which  $R_3$  is hydrogen, OH, halogen or  $C_1$ - $C_6$ -alkoxy.

Claim 5. (Cancelled)

Claim 6. (Previously Presented) An insecticidal and acaricidal composition comprising one or more compounds of formula (I) according to claim 1 as active ingredient, either in free form or in the form of an agrochemically acceptable salt, and at least one adjuvant.

Claim 7. (Cancelled)

Claim 8. (Previously Presented) A method for the control of insects and representatives of the order Acarina in which a compound of formula (I) according to claim 1 as the active ingredient is applied, in free form or optionally in the form of an agrochemically acceptable salt, to insects and representatives of the order Acarina, or their habitat, in an amount of 1 to 2000 g per hectare.

Claim 9. (Cancelled)